

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ERIC EVANS,

CASE NO. 2:23-cv-01352-LK

Plaintiff,

**ORDER DENYING STIPULATED  
MOTION TO REMAND**

JACOBS SOLUTIONS INC. et al.,

## Defendants.

This matter comes before the Court on the parties' Stipulated Motion to Remand to State Dkt. No. 16. The parties state that they "have agreed to remand as a settlement term, and d will effectuate swift resolution of the matter." *Id.* at 1. However, if a court has diversity ction over a case, its "virtually unflagging obligation to exercise the jurisdiction conferred [it] by the coordinate branches of government and duly invoked by litigants" precludes it emanding state law claims. *Williams v. Costco Wholesale Corp.*, 471 F.3d 975, 977 (9th Cir. (quoting *United States v. Rubenstein*, 971 F.2d 288, 293 (9th Cir. 1992) (alteration in al) (internal quotation marks omitted)).

1 Here, Defendants Jacobs Solutions Inc. and CH2M HILL, Inc. have invoked the Court’s  
2 jurisdiction under 28 U.S.C. § 1332(d). Dkt. No. 1 at 4. Plaintiff Eric Evans has not controverted  
3 Defendants’ assertion that the Court has original jurisdiction over this action because it is “a class  
4 action involving more than 100 members, . . . the matter in controversy exceeds the sum of  
5 \$5,000,000, exclusive of interest and costs, and Plaintiff is a citizen of a state different from at  
6 least one Defendant.” *Id.* Absent some jurisdictional defect, remand is not permitted. *See Kakarala*  
7 *v. Wells Fargo Bank, NA*, 615 F. App’x 424, 425 (9th Cir. 2015) (“Given that diversity jurisdiction  
8 existed over Kakarala’s state law claims at the time of the district court’s remand order, ‘[t]he  
9 district court had no discretion to remand these claims to state court.’” (quoting *Williams*, 471 F.3d  
10 at 977)). Accordingly, the Court DENIES the parties’ motion.

Dated this 28th day of May, 2024.

Lauren King

Lauren King  
United States District Judge